IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 27TH NOVEMBER 2006 / 6TH AGRAHAYANA 1928

Crl.MC.No. 593 of 2006()

CRA.42/2006 of SESSIONS COURT, ERNAKULAM

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PETITIONER: APPELLANT/ACCUSED.1

S.SREEKUMAR, TYPE V QUARTER NO.513/II,
FACT (CD) TOWNSHIP, AMBALAMEDU.

BY ADV. SRI.A.T.ANILKUMAR

RESPONDENTS: COMPLAINANT.

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1. STATE OF KERALA, REP. BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. SANTHA, W/O.GEORGEKUTTY,
KIZHAKKANA HOUSE, AMBALAMEDU P.O. PUTHENCRUZ.

BY ADV. SRI.LAL GEORGE
SRI.ANIMON A. JOHN
PUBLIC PROSECUTOR SRI.K.A.AKBAR

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 27/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

Crl.M.C.No.593 of 2006

Dated this the 27th day of November 2006

O R D E R

The challenge in this Criminal Miscellaneous case is against the condition imposed while suspending the sentence in an appeal against the verdict of guilty, conviction and sentence in a prosecution under Section 138 of the Negotiable Instruments Act. The cheque is for an amount of Rs.1,50,000/-. The learned Sessions Judge directed the petitioner to deposit an amount of Rs.50,000/- within a period of one month as per the impugned order dated 13/01/2006. No part of the amount has been paid or deposited so far.

2. The learned counsel for the petitioner now only prays that a month's further time may be given to make the payment as directed in the impugned order. The impugned order cannot be said to be improper or harsh. However, I am satisfied in the circumstances of this case that time can be granted to the petitioner till 18/12/2006 to pay the amount. If the petitioner is unable to make the payment, he can of course pray for an early disposal of the appeal. This Crl.M.C is allowed in part to the above extent.

Hand over copy of this order to the learned counsel for the petitioner.

(R.BASANT, JUDGE)

jsr

R.BASANT, J

C.R.R.P.No.

ORDER

21ST DAY OF JULY 2006